

**South Coast
Air Quality Management District**

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MCAS EL TORO
SSIC NO. 5090.3

June 18, 2004

Department of Toxic Substances Control
Office of Military Facilities
5796 Corporate Avenue
Cypress, Ca 90630

Attn: Tayseer Mahmoud
Senior Hazardous Substances Engineer

The AQMD appreciates your request for input into compiling Applicable or Relevant and Appropriate Requirements (ARAR's), pursuant to SARA, for Sites 8 and 12 at the former Marine Corps Air Station (MCAS), El Toro California, as stated in your letter dated June 2, 2004

The following AQMD Rules and Regulations should be incorporated in the ARAR's.

Regulation IV - Prohibitions

Rule 401 - Visible Emissions

This rule limits any visible emissions from any single source to less than Ringelmann No. 1 or 20 percent opacity for 3 minutes in any hour (Ref. Health and Safety Code 41701).

Rule 402 - Nuisance

This rule prohibits the discharge of any air contaminant or other material (including odorous compounds) that causes injury or annoyance to the public, endangers the comfort, repose, health or safety of the public or causes damage to business or property. In general, a notice of violation may be issued upon receipt of six verified complaints or for any property damage or personal injury (Ref. Health and Safety Code 41700).

Rule 403 - Fugitive Dust

This rule limits on site activities so that the concentrations of fugitive dust at the property line shall not be visible. In addition, PM10 levels shall not exceed 50 micrograms per cubic meter as determined by the difference between upwind and downwind samples collected on high volume particulate matter samplers. These requirements do not apply if the wind gusts exceed 25 miles per hour. The rule also requires every reasonable precaution to minimize fugitive dust and the prevention and cleanup of any material accidentally deposited on paved streets. This rule shall not apply during life-threatening situations or during a declared disaster or state of emergency.

Rule 404 - Particulate Matter

This rule limits equipment from discharging particulate emissions in excess of 0.01 to 0.196 grain per cubic foot based on a given volumetric (dry standard cubic feet per minute) exhaust gas flow rate averaged over one hour or one cycle of operation. It excludes steam generators or gas turbines.

Rule 405 - Solid Particulate Matter

This rule limits equipment from discharging particulate emissions in excess of 0.99 to 30 pounds per hour based on a given process weight.

Rule 407 - Liquid and Gaseous Air Contaminants

This rule limits equipment from discharging carbon monoxide emissions in excess of 2000 ppm and sulfur dioxide emissions of 500 ppm or greater averaged over 15 minutes. It excludes stationary internal combustion engines, propulsion of mobile equipment or emergency venting.

Rule 408 - Circumvention

This rule prohibits a person from building, erecting, installing or using any equipment, the use of which reduces or conceals an emission which would otherwise constitute a violation of these rules or Chapter 3 (starting with 41700) of Part 4, of Division 26 of the Health and Safety Code.

Rule 409 - Fuel Combustion Contaminants

This rule limits the emissions of particulate matter from the exhaust of a combustion source (such as a gas turbine) to 0.23 grams per cubic meter (0.1 grains per standard cubic foot) at 12 percent CO₂ averaged over 15 minutes. It excludes internal combustion engines.

Rules 431.1, 431.2, 431.3 - Sulfur Content of Gaseous, Liquid or Fossil Fuels

These rules limit sulfur compounds from combustion of gaseous fuels not to exceed 40 ppm, 0.05 percent by weight for liquid fuels and 0.56 pounds of sulfur per million BTU for solid fossil fuels.

Rule 474 - Fuel Burning Equipment-Oxides of Nitrogen

This rule limits the concentration of oxides of nitrogen (as NO₂) averaged over 15 minutes, from any non-mobile fuel burning equipment, to a range of 125 to 300 ppm for gaseous fuels and 225 to 400 ppm for solid and liquid fuels depending on equipment size.

Regulation X - National Emission Standards for Hazardous Air Pollutants

This regulation implements the provisions of Part 61, Chapter I, Title 40 of the Code of Federal Regulations (CFR) under the supervision of the AQMD Executive Officer. It specifies emissions testing, monitoring procedures or handling of hazardous pollutants such as beryllium, benzene, mercury, vinyl chloride and asbestos.

Regulation XI - Source Specific Standards

Rule 1150 - Excavation of Landfill Sites

This rule states that no person shall initiate excavation of an active or inactive landfill without an Excavation Management Plan approved by the Executive Officer of AQMD. The Plan shall provide information regarding the quantity and characteristics of the material to be excavated and transported and shall identify mitigation measures including gas collection and disposal, baling, encapsulating, covering the material and chemical neutralizing.

Rule 1166 - Volatile Organic Compound Emissions from Decontamination of Soil

This rule limits the emissions of volatile organic compounds (VOCs) from contaminated soil to less than 50 ppm. For contaminated soil with 50 ppm or greater, an approved mitigation plan, describing removal methods and mitigation measures, must be obtained from the District prior to proceeding with the excavation. Uncontrolled spreading of contaminated soil is not permitted.

Regulation XIII - New Source Review

This regulation applies to any new or modified equipment, which may cause the issuance of any non-attainment air contaminant, ozone depleting compound or ammonia. It requires all equipment to be constructed with BACT (Best Available Control Technology). For non-attainment emission increases, it requires the emission increases to be offset and substantiated with modeling that the equipment will not cause a significant increase in concentrations of non-attainment contaminants.

Regulation XIV - Toxics

Rule 1401 - New Source Review of Carcinogenic Air Contaminants

This rule specifies limits for cancer risk and excess cancer cases from new stationary sources and modifications to existing stationary sources that emit carcinogenic air contaminants. The rule establishes allowable emission impacts for all such stationary sources requiring new permits pursuant to AQMD Rules 201 or 203. Best Available Control Technology for Toxics (T-BACT) will be required for any system where a lifetime (70 years) maximum individual cancer risk of one in one million or greater is estimated to occur. Limits are calculated using risk factors for specific contaminants.

Best Available Control Technology (BACT) Guidelines document

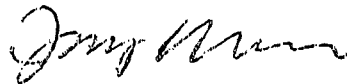
This document was compiled by SCAQMD. Although a guideline, it set up BACT requirements for various types of equipment or process. BACT is determined on a permit-by-permit basis based on the definition of BACT. In essence, BACT is the most stringent emission limit or control technology that is:

- found in a state implementation plan (SIP), or
- achieved in practice, or
- is technologically feasible and cost effective.

For practical purposes, at this time, nearly all AQMD BACT determinations will be based on achieved in practice BACT because it is generally more stringent than BACT based on SIP, and because state law constrains AQMD from using the third approach.

If you have any questions regarding these regulations, please call Mr. Ted Kowalczyk at (909) 396-2592.

Very truly yours



Jay Chen
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Toxics and Waste Management Unit

JC:CT:TK

cc: Carol Coy
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